



# California Regional Water Quality Control Board

## San Diego Region



Alan C. Lloyd, Ph.D.  
Secretary for  
Environmental  
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
<http://www.waterboards.ca.gov/sandiego>

August 8, 2005

**TO:** Dischargers/Responsible Parties for Leaking UST Sites  
Under Regulatory Oversight by the San Diego Regional Board

**RE: INVESTIGATIVE ORDER NO. R9-2005-0214: REPORTING OF INFORMATION  
FOR GROUNDWATER CLEANUP SITES LOCATED IN THE SAN DIEGO  
REGION**

This Order is being sent to you because you are identified as a Discharger/Responsible Party for cleanup of a LUST site under the regulatory oversight of the California Regional Water Quality Control Board- San Diego Region ("Regional Board").

In September 2004, the State Water Resources Control Board (SWRCB) adopted regulations requiring that Dischargers begin electronic submittal of information (ESI) for all groundwater cleanup programs regulated by the California Regional Water Quality Control Boards (Regional Boards). You may already know that for several years parties responsible for cleanup of leaking underground storage tanks (LUST) have been required to submit groundwater analytical data, the surveyed locations of monitoring wells, and certain other data to the SWRCB's Geotracker database via the Internet. The electronic reporting requirements now apply to all leaking UST sites regulated by the Regional Boards and those regulated by the Local Oversight Program (LOP) agencies (Counties of San Diego, Orange and Riverside).

### **BACKGROUND**

In 2000, the legislature passed AB 2886 giving the SWRCB the authority to require that analytical and environmental compliance data be submitted in a standardized electronic format.

In 2001, the State Water Resources Control Board adopted emergency regulations to implement electronic reporting of information from leaking underground storage tank (LUST) sites. These requirements were promulgated as Article 12 in Chapter 16 of the California Code of Regulations (CCR). Section 2729.1 (a) required that reports required to be submitted to State Board, Regional Board, or local agency, pursuant to Chapters 6.7 to 6.75 of the Health and Safety Code, and containing soil or water chemistry analysis shall also be submitted to the State Board's Geographic Environmental Information Management System (GEIMS was the first roll out of Geotracker) database using electronic deliverable format or "EDF." Section 2729 of Chapter 16 defines the required information to be submitted in EDF as the chain-of-custody documents, laboratory results and quality assurance (QA) data. Further, section 2729.1 (d) required electronic submission of data generated by analysis of soil or water samples shall be required beginning on September 1, 2001.

On January 1, 2002, section 2729.1 (b), Chapter 16 of the CCR required any person submitting this type of data shall also include the location data for where samples were collected, location of monitoring wells and surveyed elevation of groundwater relative to mean sea level for any monitoring well sampled.

### ELECTRONIC REPORTING TIMELINE SUMMARY

Date/Timeframe	Event or Requirement
2000	Legislature passed AB 2886 requiring electronic reporting.
2001	SWRCB adopts emergency regulations as Article 12, Chapter 16, Title 23, CCR.
September 1, 2001	Regulations require that soil and water data collected to satisfy reporting requirements for Health and Safety Code Chapters 6.7 and 6.75 must be submitted electronically.
January 1, 2002	Location information must be provided with electronic data.
November 2004	SWRCB adopted electronic submittal of information (ESI) regulations for all groundwater sites. Included sites regulated under other regulations/ codes and added additional e-reporting requirements.
January 1, 2005	ESI regulations went into effect
July 1, 2005	Electronic submittal of information of complete reports and data submitted to Geotracker replaces the need for paper copy submitted to regulatory agencies, in the absence of the agency specifying another form of submittal to the Discharger(s).

Beginning **January 1, 2005**, all Dischargers who are responsible for sites that are regulated by the Regional Board UST Program and LOP agencies, are also required to upload a minimum set of electronic data into the Geotracker database. Electronic reporting requirements apply to LUST sites regulated pursuant to any of the following State requirements:

1. Reports submitted pursuant to Division 3, Chapter 16, Article 11 of Title 23 of the California Code of Regulations (underground storage tank regulations).
2. Reports submitted pursuant to section 13304 of the Water Code (cleanup and abatement orders).
3. Reports submitted pursuant to section 13267 of the Water Code (investigative orders).

4. Reports submitted pursuant to any order or directive of the State Board, a regional board or a local agency (including Local Oversight Program or "LOP agencies").

The Regional Board has identified your site as being regulated pursuant to one or more of the regulations or Orders referenced above, so you must comply with the electronic data reporting requirements of section 3890 et seq., Title 23, California Code of Regulations. You may find it convenient to review the applicable State regulations yourself on-line at [www.calregs.com](http://www.calregs.com).

To comply with section 3893, Title 23, CCR; your electronic reporting of information to the Geotracker database must include the following minimum information:

1. Data generated after the effective date of the regulations by chemical analysis of soil, vapor, or water samples (including surface water, groundwater and influent/effluent water samples from remediation systems), shall be submitted in Electric Data File (EDF) format.
2. The latitude and longitude of any permanent monitoring well for which data is reported in EDF format, accurate to within 1 meter and referenced to a minimum of two reference points from the California Spatial Reference System (CSRS-H), if available.
3. The surveyed elevation relative to a geodetic datum of any permanent monitoring well.
4. The elevation of groundwater in any permanent monitoring well relative to the surveyed elevation.
5. A site map or maps showing the location of all sampling points referred to in the report.
6. The depth to the screened interval and the length of screened interval for any permanent monitoring well.
7. Boring logs, in PDF format.
8. A complete copy of the report, in PDF format, which includes the signed transmittal letter and professional certification.

**A. THE REGIONAL BOARD HEREBY FINDS**

1. A minimum amount of supporting technical information (including the required electronic information in Geotracker) must be provided for the Regional Board staff before the Regional Board may concur with case closures. The Dischargers/Responsible Party(ies) must ensure that the minimum information is made available in the Geotracker database.
2. The Dischargers/Responsible Party(ies) must provide the Regional Board with written information, including technical reports and plans to comply with the site investigation and corrective action requirements of Chapter 16, Title 23, California Code of Regulations and SWRCB Resolution No. 92-49.
3. In 2000, the SWRCB requested that the LOP agencies and Regional Boards (see Attachment 1) provide analytical results for other fuel oxygenates (e.g., tertiary-butyl-alcohol or TBA) as well.
4. Under section 3895(a), Title 23, CCR: "Beginning July 1, 2005, the successful submittal of electronic information in accordance with this Chapter shall replace the requirement for the submittal of a paper copy, except as provided in subdivision..."
5. At this time, the Regional Board is not equipped to maintain the continuity of our files for public review/access and effectively review or manage electronic data submittals from Dischargers and parties responsible for cleanup and abatement of pollution from unauthorized releases at leaking underground storage tank (LUST) cases, where the Regional Board is the lead regulatory agency.
6. It is necessary to request that Dischargers and parties responsible for cleanup and abatement of pollution from unauthorized releases of fuel constituents at LUST sites continue to provide the Regional Board with complete paper copies of submittals, including, but not limited to, all: technical reports, monitoring reports, work plans, interim remedial action plans, corrective action plans, Remedial Action Plans, Site Conceptual Models, and Closure Reports.

**B. REQUEST FOR INFORMATION**

Under the authority of the California Water Code section 13267, I hereby request that all Dischargers and parties responsible for leaking UST cases identified in this Order comply with the following requirements:

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1. Continue to provide complete paper copies of submittals, including but not limited to all: technical reports, monitoring reports, work plans, interim remedial action plans, corrective action plans, Remedial Action Plans, Site Conceptual Models, and Closure Reports.
2. Comply with the electronic reporting requirements of section 3890 et seq., Title 23, California Code of Regulations.

Please note, all deadlines and timeframes for paper submittals of reports, etc. are also applicable to the information submitted electronically.

Any person failing or refusing to furnish information required under the authority of section 13267 or falsifying information submitted to the Regional Board pursuant to such an order is guilty of a misdemeanor and may be subject to civil liability. Civil liability may be imposed administratively by the Regional Board in an amount of up to \$1,000 per day of violation (i.e., for each day of delay in submitting all information requested, or for each day that false information remains uncorrected).

#### **C. INFORMATION CONCERNING THE GEOTRACKER DATABASE AND REQUIREMENTS FOR LOP SITES**

You should be aware that the San Diego Regional Board staff is not responsible for the maintenance and administration of the Geotracker database. For information on how to access and use the Geotracker database, please contact the SWRCB staff **Mr. Hamid Foolad at (916) 341-5791**, or the **"Geotracker Help Desk" at (866) 480-1028**, or via their web site at [Geotracker@waterboards.ca.gov](mailto:Geotracker@waterboards.ca.gov).

For your convenience, a link to the Geotracker and Electronic Reporting web page can be found on our Regional Board web page under **"WATER NEWS"** or on the State Water Board's web site at:

[http://www.waterboards.ca.gov/ust/cleanup/electronic\\_reporting/](http://www.waterboards.ca.gov/ust/cleanup/electronic_reporting/)

Please note, this request to provide the Regional Board with complete paper copies of submittals does **not apply to sites regulated by the Local Oversight Program (LOP) agencies** located in the San Diego Region. For LUST sites regulated by a LOP agency, please contact the individual LOP agency to determine if you are required to continue submitting paper copies of reports for LOP sites in San Diego County (Mr. George McCandless TEL: 619-338-2259), southern Orange County (Ms. Karen Hodel TEL: 714-433-6011) and Riverside County (Ms. Sandy Buncek at TEL: 909-358-5055).

LUST Site Dischargers  
Order R9-2005-0214: Reporting  
Requirements at LUST Cleanup Sites in  
the San Diego Region

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The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions, please contact Mr. John Odermatt at (858) 637-5595 or by email at [jodermatt@waterboards.ca.gov](mailto:jodermatt@waterboards.ca.gov).

Sincerely,



JOHN H. ROBERTUS  
Executive Officer

Enclosure: Affected Dischargers in the San Diego Region



**Order R9-2005-0214: Affected Dischargers in the San Diego Region**

<p>Ms. Dawn Eisenberg Director of Acquisitions Pan Pacific Retail Properties, Inc. 1631-B South Melrose Avenue Vista, CA 92083 <b>In reply refer to:</b> <b>TSMC:50-2337.05:dorsk</b></p>	<p>Mr. &amp; Mrs. Chung Kwan Hsu Budget Trade &amp; Gas 510 West 5<sup>th</sup> Avenue Escondido, CA 92025 <b>In reply refer to:</b> <b>TSMC:50-2662.05:peass</b></p>
<p>Mr. Jerry Bogaczyk Chevron Products Company P.O. Box 2292 Brea, CA 92822-2292 <b>In reply refer to:</b> <b>TSMC:50-1496.05:peass</b></p>	<p>Ms. Roberta H. Green P.O. Box 395 Julian, CA 92036 <b>In reply refer to:</b> <b>TSMC:50-1708.05:peass</b></p>
<p>Mr. James C. Silver P.O. Box 326 Julian, CA 92036 <b>In reply refer to:</b> <b>TSMC:50-1496.05:peass</b></p>	<p>Ms. Lillie and Mr. Willis Slaughter P.O. Box 514 Julian, CA 92036 <b>In reply refer to:</b> <b>TSMC:50-1712.05:peass</b></p>
<p>Ms. Cheryl DeWitt P.O. Box 418 Julian, CA 92036 <b>In reply refer to:</b> <b>TSMC:50-2578.05:peass</b></p>	<p>Mr. and Mrs. Ernest Moretti P.O. Box 2078 Borrego Springs, CA 92004 <b>In reply refer to:</b> <b>TSMC:50-3537.05:peass</b></p>
<p>Mr. Chris Panaitescu Thrifty Oil Company 13116 Imperial Highway Santa Fe Springs, CA 90670 <b>In reply refer to:</b> <b>TSMC:50-0586.05:peass</b> <b>TSMC:50-0575.05:peass</b> <b>TSMC:50-1375.05:peass</b></p>	<p>Mr. Gary Ostrem Director Maintenance &amp; Operations Escondido Union High School District 1789 North Broadway Escondido, CA 92026 <b>In reply refer to:</b> <b>TSMC:50-0785.05:peass</b></p>
<p>Mr. Wadie Yaddgo and Mrs. Ikhlas Yaddgo Former Tony's Auto Tech a.k.a One-Stop Auto Tech 9613 Carlton Hills Boulevard Santee, Ca 92071 <b>In reply refer to:</b> <b>TSMC:50-2574.05:ebsej</b> <b>CERTIFIED</b></p>	<p>Mr. Tony Nasrawi and Ms. Violet Nasrawi Former Tony's Auto Tech a.k.a One-Stop Auto Tech 2950 Kurtz St. #F San Diego, CA 92110 <b>In reply refer to:</b> <b>TSMC:50-2574.05:ebsej</b> <b>CERTIFIED</b></p>

Mr. Ed Mahr Mahr's Texaco 312 South Main Street Fallbrook, CA 92028 <b>In reply refer to:</b> <b>TSMC:50-3522.05:ebsej</b>	Mr. Roy Woodward Justa Nother Partnership ✓ 8781 Cuyamaca St., suite 6 Santee, CA 92071 <b>In reply refer to:</b> <b>TSMC:50-3226.05:ebsej</b>
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**Cc: Order R9-2005-0214: Interested Parties**

Mr. Brian R. Brennan Project Manager EEI 5845 Avenida Encinas, Suite 128 Carlsbad, CA 92008 <b>In reply refer to:</b> <b>TSMC:50-2337.05:dorsk</b>	Mr. Gary Clossin I-Cubed Consulting 13860 Paseo Aldabra San Diego, CA 92129-2106 <b>In reply refer to:</b> <b>TSMC:50-2662.05:peass</b>
Justin Hawkins Principal Engineer Secor International, Inc. 2655 Camino Del Rio North, Suite 302 San Diego, Ca 92108 <b>In reply refer to:</b> <b>TSMC:50-1496.05:peass</b>	Mr. Anderson Donan Donan Environmental Services, Inc. P.O. Box 1839 Vista, CA 92085-1839 <b>In reply refer to:</b> <b>TSMC:50-3537.05:peass</b>
Tom Wright Environmental Business Solutions 8799 Balboa Avenue, Suite 290 San Diego, CA 92123 <b>In reply refer to:</b> <b>TSMC:50-0785.05:peass</b>	Mr. David Eminhizer EnvirOmega Consultants, Inc. 16732 Palmero Drive San Diego, CA 92128 <b>In reply refer to:</b> <b>TSMC:50-3226.05:ebsej</b>
Mr. Simon Loli Kahl Environmental Services 7125 El Cajon Blvd., Suite 5 San Diego, CA 92115 <b>In reply refer to:</b> <b>TSMC:50-3522.05:ebsej</b> <b>TSMC:50-2889.05:dorsk</b>	

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